

NOT FOR PUBLICATION

R E C E I V E D

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

OCT 25 2016

AT 8:30 \_\_\_\_\_ M  
WILLIAM T. WALSH  
CLERK

ESTATE OF TARA O'LEARY, deceased, by  
EILEEN DEVLIN and COLEEN WINTERS, Co-  
Administratrix *ad Prosequendum* of the Estate of  
Tara O'Leary; ESTATE OF LYDIA JOY PERRY,  
deceased, by VIVIAN KALE and JANET  
FANDEL, Co-Administratrix *ad Prosequendum* of  
the Estate of Lydia Joy Perry,

Plaintiffs,

v.

DEBRA SLOAN, individually, and as agent,  
servant, and/or employee of the State Defendants  
and/or The ARC of Hunterdon County; STATE OF  
NEW JERSEY; DEPARTMENT OF HUMAN  
SERVICES DIVISION OF DEVELOPMENTAL  
DISABILITIES; BRIDGET GRIMES,  
individually, and as agent, servant, and/or  
employee of the State Defendants; JENNIFER  
VELEZ, individually, and in her capacity as  
the Commissioner of the State Department of  
Human Services; MARION FENWICK,  
individually, and as agent, servant, and/or  
employee of the State Defendants; MARGE  
BRIEGEL, individually, and as agent, servant,  
and/or employee of the State Defendants and/or the  
ARC of Hunterdon County; KENNETH  
RITCHLEY, individually, and as agent, servant,  
and/or employee of the State Defendants and/or the  
ARC of Hunterdon County; ROBERT HARBOLD,  
individually, and as agent, servant, and/or  
employee of the State Defendants and/or the ARC  
of Hunterdon County; THE ARC OF  
HUNTERDON COUNTY; JOHN & JANE DOES  
1 - 50 (said names fictitious, real names unknown),  
individually, and as policymakers, management,  
supervisors, agents, servants, and/or employees of  
the State Defendants, The ARC of Hunterdon  
County, or of the ABC CORPS. I - IO (said names  
fictitious, real names unknown),

Defendants.

Civ. No. 12-2625

**MEMORANDUM ORDER**

THOMPSON, U.S.D.J.

This matter having come before the Court upon the Motion of Plaintiff, the Estate of Tara O'Leary, by co-administratrix *ad prosequendum*, Colleen Winters to Enforce Settlement and Compel Execution of the Settlement Agreement against co-administratrix *ad prosequendum* Eileen Devlin (ECF No. 87); and Defendants State of New Jersey, Department of Human Services-Division of Developmental Disabilities, Jennifer Velez, Marion Fenwick, Marge Briegel, Kenneth Ritchley and Robert Harbold ("State Defendants") having joined in Plaintiff's Motion (ECF No. 88); and co-administratrix *ad prosequendum*, Eileen Devlin, having replied to Plaintiff's Motion (ECF No. 89); and

IT APPEARING that Plaintiff Estate of Tara O'Leary and the State Defendants entered into a final settlement agreement and the Court entered an Order of Settlement reflecting such agreement on April 28, 2016 (ECF No. 80); and it

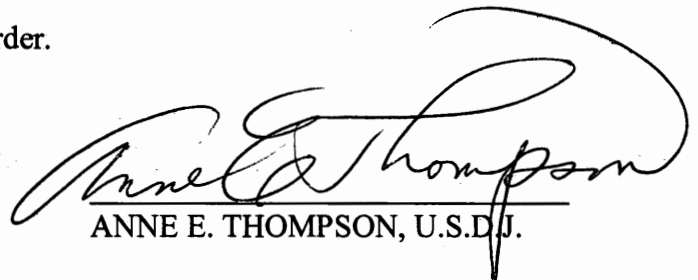
APPEARING that co-administratrix *ad prosequendum*, Eileen Devlin, representing Plaintiff, the Estate of Tara O'Leary, refuses to execute the settlement documents (ECF No. 89);

IT IS on this 24<sup>th</sup> day of October 2016,

ORDERED that Plaintiff's Motion to Enforce Settlement and Compel Execution of the Settlement Agreement is GRANTED; and it is further

ORDERED that the settlement in the amount of \$2,100,000.00 as to the State Defendants be and is hereby enforced; and it is further

ORDERED that co-administratrix *ad prosequendum*, Eileen Devlin, execute the settlement documents, or locate a replacement co-administratrix *ad prosequendum* to execute the settlement documents, within ten (10) days of this Order.

  
ANNE E. THOMPSON, U.S.D.J.